

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NICHOLAS M. MARTIN,	)	
	)	Case No. 1:16-cv-09483
Plaintiff,	)	
	)	
v.	)	Honorable John J. Tharp, Jr.
	)	
WELLS FARGO BANK, N.A.,	)	Magistrate Judge Sheila M. Finnegan
	)	
Defendant.	)	
	)	

**JOINT MOTION FOR SECOND EXTENSION OF  
TIME TO FILE MOTION FOR PRELIMINARY  
APPROVAL OF CLASS SETTLEMENT AND  
FOR CONTINUANCE OF PRESENTMENT HEARING**

Plaintiff Nicholas Martin and defendant Wells Fargo Bank, N.A. respectfully request that the Court (a) extend the deadline for plaintiff to file a motion for preliminary approval of the parties' class settlement through and until December 22, 2017, and (b) continue the presentment hearing on the motion for preliminary approval, currently scheduled for December 12, 2017, until January 5, 2018 or such later date at the Court's convenience. In support of this joint motion, the parties state as follows:

1. On October 11, 2017, the parties notified the Court that they had reached a settlement in principle to resolve this case on a class-wide basis. As part of that notice, the parties requested the Court set December 1, 2017 as the deadline by which plaintiff would file a motion for preliminary approval of the parties' settlement, and set December 12, 2017 as the date for the parties to present such motion. *See* Dkt. No. 90.

2. On October 12, 2017, the Court set the requested deadlines. *See* Dkt. No. 92.

3. On November 30, 2017, plaintiff (with Wells Fargo's agreement) moved the

Court to extend the deadline to file the preliminary approval motion by 5 days, until December 6, 2017, because the parties needed a few additional days to select a settlement administrator, finalize the agreement, and obtain signatures. *See* Dkt. No. 95.

4. On December 1, 2017, the Court granted the motion for extension. *See* Dkt. No. 98.

5. Despite both parties exercising diligence to select a settlement administrator, finalize the agreement, and obtain signatures in time to file the preliminary approval motion in advance of the December 12, 2017 presentment date, it has become apparent that the parties require a few additional weeks to complete these tasks.

6. As such, and in light of scheduling issues presented by the upcoming holiday season, including that Wells Fargo's attorney is coming from out of state for the presentment hearing, the parties respectfully request that the Court extend the deadline for filing the preliminary approval motion through and until December 22, 2017, and continue the presentment hearing on that motion until Friday, January 5, 2018 or such later date at the Court's convenience.

7. This motion is not made to unnecessarily delay the proceedings, or for any other improper purpose.

8. Both parties join in this request; no party will be prejudiced by its allowance.

WHEREFORE, Plaintiff and Wells Fargo respectfully request that the Court (a) grant this joint motion, (b) extend the deadline by which plaintiff shall file a motion for preliminary approval of the parties' settlement through and until December 22, 2017, (c) continue the presentment of that motion until January 5, 2018 or such later date at the Court's convenience, and (d) otherwise stay the proceedings.

Respectfully Submitted,

Keith J. Keogh

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**Counsel for Plaintiff**

Dated: December 6, 2017

Respectfully Submitted,

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